

LISTING OF THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A method for delivering an anchor member into biological tissue comprising:

accessing and preparing an insertion site for the anchor member;

holding the anchor member at a distal end of an insertion tool;

providing the anchor member to the site with the insertion tool;

without requiring rotation of the insertion tool about a longitudinal axis of the insertion tool, causing a rotational movement of the anchor member about a first axis perpendicular to a longitudinal axis of the insertion tool whereby the anchor member engages the tissue at the site by moving about the first axis from a first position substantially aligned with the longitudinal axis to a second position at an angle relative to the longitudinal axis;

the step of causing a rotational movement of the anchor member about a first axis perpendicular to the longitudinal axis of the insertion tool comprising pushing the anchor member with a pusher member disposed concentrically in an outer tubular member of the insertion tool, the pusher member maintaining engagement with the anchor member during the step of causing the rotational movement; and

wherein the anchor member is initially at least partly disposed in the outer tubular member and further comprising ejecting the anchor member using the pusher member from the outer tubular member and wherein the step of causing a rotational movement comprises using a pusher member having an angled distal surface conforming to an angled surface of the anchor member when the anchor member is at least partly in the outer tubular member; and

withdrawing the insertion tool from the site, leaving the anchor member secured at the site.

2. (Original) The method of claim 1, wherein the second position includes positions ranging from a position defined by an acute angle to the longitudinal axis to a position perpendicular to the longitudinal axis.

3. (Original) The method of claim 1, further comprising performing a borehole at the site to receive the anchor member.

4. (Currently Amended) A method for delivering an anchor member into biological tissue comprising:

accessing and preparing an insertion site for the anchor member;

holding the anchor member at a distal end of an insertion tool;

providing the anchor member to the site with the insertion tool;

without requiring rotation of the insertion tool about a longitudinal axis of the insertion tool, causing a rotational movement of the anchor member about a first axis perpendicular to a longitudinal axis of the insertion tool whereby the anchor member engages the tissue at the site by moving about the first axis from a first position substantially aligned with the longitudinal axis to a second position at an angle relative to the longitudinal axis;

the step of causing a rotational movement of the anchor member about a first axis perpendicular to the longitudinal axis of the insertion tool comprising providing a biasing force to the anchor member to cause the rotational movement; and

wherein the step of providing a biasing force comprises using a spring to apply a biasing force to the anchor member to cause the anchor member to engage the tissue at the site; and

withdrawing the insertion tool from the site, leaving the anchor member secured at the site.

5. Canceled

6. Canceled

7. (Original) The method of claim 1, further comprising disposing the pusher member and the anchor member in the outer tubular member of the insertion tool, moving the pusher member relative to the outer tubular member to eject the anchor member into a borehole in the tissue at the site with further relative movement of the pusher member causing the rotational movement.

8. (Original) The method of claim 1, further comprising after withdrawing the insertion tool, causing further rotational movement of the anchor member whereby the anchor member attains a position substantially perpendicular to the borehole.

9. (Original) The method of claim 1, further comprising applying a tug to a suture connected to the anchor member to ensure that the anchor member is secured in the borehole.

10. (Original) The method of claim 1, further comprising providing said anchor member as a rotational member having at least one cutting edge for cutting into the borehole.

11. (Original) The method of claim 10, wherein the anchor member has two cutting edges on opposite sides of a central hub about which the rotational movement occurs.

12. (Original) The method of claim 1, further comprising providing the anchor member as two anchor member portions, each anchor member portion rotating about a central hub and each having at least one cutting edge.

13. (Original) The method of claim 12, wherein each anchor member portion has two cutting edges each on opposite sides of the central hub.

14. (Original) The method of claim 1, further comprising providing the anchor member as a member formed by slicing a cylinder along two parallel planes disposed at an acute

angle to a longitudinal axis of the cylinder, thereby forming two parallel surfaces having sharp edges.

15. (Currently Amended) A method for delivering an anchor member into biological tissue comprising:

accessing and preparing an insertion site for the anchor member;

holding the anchor member at a distal end of an insertion tool;

providing the anchor member to the site with the insertion tool;

without requiring rotation of the insertion tool about a longitudinal axis of the insertion tool, causing a rotational movement of the anchor member about a first axis perpendicular to a longitudinal axis of the insertion tool whereby the anchor member engages the tissue at the site by moving about the first axis from a first position substantially aligned with the longitudinal axis to a second position at an angle relative to the longitudinal axis;

withdrawing the insertion tool from the site, leaving the anchor member secured at the site; and

further comprising providing the anchor member as a member formed by slicing a cylinder along two parallel planes disposed at an acute angle to a longitudinal axis of the cylinder, thereby forming two parallel surfaces having sharp edges; and

further comprising providing a looped suture about a central hub of the anchor member.

16. (Currently Amended) The method of claim 7 15, the step of causing a rotational movement of the anchor member about a first axis perpendicular to the longitudinal axis of the insertion tool comprising pushing the anchor member with a pusher member disposed concentrically in an outer tubular member of the insertion tool, the pusher member maintaining engagement with the anchor member during the step of causing the rotational movement; and

wherein the pusher member has a rounded distal end, further comprising engaging the anchor member with the rounded distal end and causing the rotational movement.

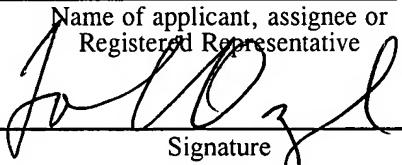
17. (Currently Amended) The method of claim 7, wherein the pusher member has an angled surface at a distal end thereof, further comprising holding the anchor member in a fixed orientation in the outer tubular member with the angled surface prior to ejection of the anchor member from the outer tubular member.

19. (Currently Amended) The method of claim 7, wherein the outer tubular member has a shoulder defining a portion of a wall of the outer tubular member of decreased thickness further comprising inserting the portion of the wall of decreased thickness into the borehole with the shoulder defining a stop for the insertion of the insertion tool into the borehole.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 2, 2004:

Louis C. Dujmich

Name of applicant, assignee or
Registered Representative



Signature

June 2, 2004

Date of Signature

Respectfully submitted,



Louis C. Dujmich
Registration No.: 30,625
OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Telephone: (212) 382-0700

LCD:cfm